

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CORELOGIC INFORMATION
SOLUTIONS, INC.

v.

FISERV, INC., et al.

§
§
§
§
§
§

Case No. 2:10-CV-132-RSP

MEMORANDUM ORDER

Before the Court are Plaintiff CoreLogic Information Solutions, Inc.'s Motions *in Limine* (Dkt No. 347, filed August 20, 2012) and Defendants' Motions *in Limine* (Dkt. No. 349, filed August 20, 2012). The Court heard argument on several of the motions during the pretrial hearing held on September 6, 2012. *See* Pretrial Hr'g Tr., Dkt. No. 404. On September 20, 2012, the Court issued a ruling on a number of the motions. *See* Dkt. No. 411. This order addresses the remaining motions.

The Court's ruling on a motion *in limine* is not a definitive ruling on the admissibility of evidence. An order granting a motion *in limine* is an order to approach the bench and seek leave from the Court prior to presenting the evidence covered by the order to the jury. Similarly, an order denying a motion *in limine* does not relieve a party from making an objection at trial.

CoreLogic's Motion in Limine No. 4 (Evidence that CoreLogic Licenses Data to DataQuick) is **DENIED**.

CoreLogic's Motion in Limine No. 5 (Evidence that Non-Infringing Alternatives Exist) is **DENIED**.

CoreLogic's Motion in Limine No. 6 (Evidence that CoreLogic Has Not Accused Other Products of Infringement) is **DENIED**.

Interthinx's Motion in Limine No. 3 (Exclude Evidence of the Entire Market Value of the FraudGUARD Product) is **GRANTED AS MODIFIED**: No reference shall be made to the unapportioned revenue or profit earned from the sales of accused products.

Interthinx's Motion in Limine No. 4 (Preclude CoreLogic From Introducing Evidence That FraudGUARD Competes With CoreLogic's AVMs) is **DENIED**.

Defendants' Motion in Limine No. 5 (Exclude Evidence Based on Court's Ruling Patent Marking Motion) is **DENIED**.

Defendants' Motion in Limine No. 6 (Preclude Evidence on the Absence of Non-Infringing Alternatives) is **DENIED**.

Defendants' Motion in Limine No. 8¹ (Preclude Evidence Excusing Evidence of Delay) is **GRANTED**: Laches is an equitable issue that will be tried to the bench after the jury trial.

SIGNED this 23rd day of September, 2012.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

¹ Defendants did not file a Motion *in Limine* No. 7.